UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VIII
999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

MAR 17 1997

Ref: 8EPR-EP

Kate Kitchell, District Manager
Moab District Office
Bureau of Land Management
82 East Dogwood Avenue
Moab, Utah 84532

RE: Lisbon Valley Copper Project, Final EIS

Dear Ms. Kitchell:

The Region 8 Office of the Environmental Protection Agency has reviewed the Final Environmental Impact Statement for the Lisbon Valley Copper Project and offers the following comments for your consideration. Pursuant to the authority under §309 of the Clean Air Act and §402 of the Clean Water Act, our review focuses on the ability of BLM to assure that the active mine and post-mine operations are both consistent in law and directed toward the elimination or reduction of liability to the United States from long-term environmental risks post-mining.

The Final EIS is an improvement from the Draft EIS regarding the water management and monitoring for both mining and post-mining conditions. The most significant improvements to the preferred alternative are the planned diversion ditches that will intercept runoff from areas upstream of the open pits, route runoff around the open pits into sediment collection and then to the natural drainage as described for the proposed action. Further, monitoring of these diversion structures is to be included as a condition of the post mining procedure. This plan is an important modification to the plan presented in the Draft EIS in which some of the runoff was to be routed into an open pit. In addition, the detailed ground water monitoring plan as included in Appendix D from the State of Utah defining the Ground-Water Discharge Permit and the Mitigation and Monitoring Plan (included as Appendix A) provide detail into the proponents' monitoring requirements and contingencies. The permit conditions combined with the limited ground-water flow system and no local ground-water use in the area should provide reasonable and adequate protection of ground water quality.

Our main ongoing concern is ground water ponding within the mine pits that can occur following mining operations. The water quality in the mine pit lakes can be of low quality over time as evaporation concentrates metals in this surface water. This issue can be of concern primarily for migrating waterfowl and other wildlife or livestock.

As described in the Final EIS, long term bonding will help ensure that water quality will be protected. The preferred bonding alternative appears very well done. However, the comment response states the bond will be obtained after mining ceases. EPA's other remaining concern is the timing of the long-term bond. We encourage the BLM to obtain the bond early in the life of the mine. In our Region, we have had several mines cease mining in or declare bankruptcy when long-term environmental problems develop. The bond could be adjusted as new information becomes available and as conditions change. We suggest the long-term bond be calculated after several years of ground water monitoring using water quality standards based on meeting wildlife and livestock uses.

Attached are additional detailed comments on the Draft EIS. We would appreciate an opportunity to discuss the draft Record of Decision with respect to long-term bonding procedures and be provided a copy of the Record of Decision when available. Please contact Weston Wilson of my staff at (303) 312-6562 if we may further explain our concerns with the proposed action.

Sincerely,

Carol L. Campbell

Carol L. Campbell, Director
Ecosystems Protection Program

Enclosure: Detailed Comments by the Region 8 Office of EPA, Final EIS, Lisbon Valley Copper Project, 1 page

cc: Elaine Suriano, EPA, Washington, D.C.
Tony Gallegos, Utah DOGM, SLC
Dennis Frederick, Utah DEQ, SLC

Detailed Comments by the Region 8 Office of EPA
Final Environmental Impact Statement
Lisbon Valley Copper Project

1. Section 2.2.4 (General) Leaks are significant potential sources of pollutants at heap leach facilities. The heap leach pad design proposed for the Lisbon Valley Project includes a leak detection and collection system, but the Final EIS does not include a contingency plan for repairing the heap leach pad liner if a leak develops. The Record of Decision should discuss whether attempted repairs would occur or whether leachate collection would be the long-term method of choice to respond to a leaking liner.

2. Section 2.2.4 (page 2-18) The heap leach pad is to be constructed in four phases. The proposed liner system appears to be adequate, however, how will BLM assure that each of the phases of liner construction is properly sealed with the preceding phase? The Record of Decision could address the quality assurance and inspection procedure proposed to assure that phased liner construction achieves hydraulic integrity.

3. Section 3.1.5 (pages 3-20 and 3-21) We observe that there is potential for additional copper reserves to be developed beyond the proposed mining defined in the EIS. How would future expansion affect the post-mine reclamation other than preventing partial pit backfill?